
Appeal Decision

Site visit made on 24 July 2025

by **G Sibley MPLAN MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 October 2025

Appeal Ref: APP/T0355/W/25/3359678

Land north of Kiln Cottage, Warren Row Road, Knowl Hill, Reading RG10 9YJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Bond against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/01444.
 - The development proposed is subdivision of building to create 5 units for B2/B8 use, with adjoining yard for ancillary parking and defined outdoor storage areas. Alterations to existing building to provide internal dividing walls, WCs in each unit and 5 roller shutter doors. No extensions.
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Decision

1. The appeal is allowed and planning permission is granted for subdivision of building to create 5 units for B2/B8 use, with adjoining yard for ancillary parking and defined outdoor storage areas. Alterations to existing building to provide internal dividing walls, WCs in each unit and 5 roller shutter doors. No extensions at land north of Kiln Cottage, Warren Row Road, Knowl Hill, Reading RG10 9YJ in accordance with the terms of the application, Ref 24/01444, subject to the conditions in the attached schedule.

Applications for costs

2. An application for an award of costs has been made by Mr David Bond against the Council of the Royal Borough of Windsor and Maidenhead and is the subject of a separate decision.

Main Issues

3. The main issues relevant to this appeal are:
- whether the proposed development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies and linked to this, the effect of the proposal upon the openness of the Green Belt; and
 - the effect of the proposed development upon the character and appearance of the area.

Reasons

Whether Inappropriate Development

4. The appeal site contains a large, utilitarian-style building clad in metal. This building is set within a compound that is bound by solid fencing and is located via a

long vehicular access and as such it is set back a significant distance from Warren Row Road. There are, however, several public footpaths that pass close to the appeal site.

5. Policy QP5 of the Borough Local Plan (LP) states that certain forms of development are not considered inappropriate in the Green Belt, as defined in the Framework.

6. The parties dispute whether the entire appeal site qualifies as previously developed land. However, the appellant states that the appeal should be considered under three separate exceptions set out in paragraph 154h) of the Framework. These include ii) engineering operations iv) the re-use of buildings provided that the buildings are of permanent and substantial construction and v) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds). For development to be considered not inappropriate development it must preserve its openness and not conflict with the purposes of including land within it.

Engineering Operations

7. Whilst the extent of the land associated with the previously approved development on site is disputed, if considered afresh, the engineering operations involve laying hardstanding across most of the appeal site and the delineation of the storage and parking areas. The hardstanding covers a large area, however, given that the engineering operations are located at ground level and would be seen in association with the large building on site, the visual and spatial effect of this upon the openness of the Green Belt would be limited. While Public Rights of Way (PRoW) do pass close to the appeal site given the limited effect this aspect of the development would have upon the openness of the Green Belt, especially when viewed from further afield, the engineering operations would not adversely harm openness. Therefore, this part of the development would preserve the openness of the Green Belt.

8. The appeal site is located within the open countryside, and around the site are generally open fields, with the exception of Kiln Cottage which is a large dwelling located near to the site. Although engineering operations would introduce new built elements, they would be seen in the context of the existing large building. Taking into consideration the commercial operations that would be taking place within the building and given that the site is well contained in a centralised area separated by the open fields around it by fences, trees, and hedges, the development would not conflict with the purposes of assisting in safeguarding the countryside from encroachment. The Council does not identify a conflict with any of the other purposes set out in the Framework, and based on the evidence before me, I find no reason to conclude otherwise.

The Re-Use of Buildings

9. The Council states that the conversion and subdivision of the appeal building to create 5 units for B2/B8 uses could be considered to comply with paragraph 154h) iv) as the existing building would not be extended. It is agreed by the parties that the building is of permanent and substantial construction and based on the evidence before me and what I saw on site I find no reason to conclude otherwise. As no extensions are proposed and external changes would be minimal, this part of the development would not adversely affect openness and as such it would preserve the openness of the Green Belt. Similarly, the limited external alterations would ensure the development would not conflict with the purposes of including land within the Green Belt.

Material Changes in the Use of the Land

10. The material change in the use of the land would include ancillary parking and defined outdoor storage areas. While there is a dispute whether the entirety of the external areas around the building could be considered previously developed land, the Council acknowledges that some of the external areas of the appeal site may be regarded as previously developed land and the conditions associated with application reference: 426309 permitted storage on areas adjoining the barn as shown on an accompanying plan. The extent of land associated with this plan is disputed; however, this permission permitted some external storage to take place around the building. Given that the building was used in connection with an annual Steam Rally and based on the historical images provided of the appeal site, it is likely that large vehicles were kept on site. Consequently, vehicles and materials associated with the storage, maintenance and repair of them could be stored around the building. However, this may not apply to the full extent of the appeal site shown on the submitted plans.

11. Car parking areas are proposed along two sides of the appeal site, with the north western part of the site bounded by a large earth bund. This earth bund generally screens this side of the appeal site from the nearby PRoWs. This enclosure, alongside the existing fencing, trees and hedges screens much of the site. There is another PRoW that passes along the southeastern boundary of the site heading towards Kiln Cottage. The existing fencing does screen part of the appeal site, although given the limited height of it, there are some views of the building itself above it, as well as through the gate. Space is also proposed for lorries to be parked on site and given the considerable height of them, they would likely be visible above the surrounding fences. However, as vehicles would typically be present intermittently and seen in conjunction with the central building, the effect of them upon the openness of the Green Belt would be limited, particularly outside of typical working hours.

12. Two separate areas are proposed to be used for storage. Although the specific materials to be stored are not defined, the proposed storage areas are substantial in size and could accommodate a significant volume. While the site is well screened by the fencing, trees and hedges, there would likely still be views of the storage areas and the materials stored within them and thus this part of the development would affect the openness of the Green Belt. The appellant has suggested that a condition could be used to limit the height of materials stored on site to be below the height of the boundary fencing. This would provide some screening of the materials, which would also only be intermittently on site, and this would limit the effect the stored materials would have upon the openness of the Green Belt.

13. The change of use of the land would affect the openness of the Green Belt. However, the change of use would be perceived within the context of the site's commercial operations centred around the main building. Additionally, whilst the site and the associated vehicle and storage areas would be visible from nearby PRoWs the site is generally well screened by existing fences, trees, and hedges which limits the effect the development would have upon the openness of the Green Belt in this location. Furthermore, given the relatively secluded location of the site, the effect of this development would be localised and in terms of the vehicles and materials, intermittent. Therefore, when taking these matters into account, the development would not adversely affect the openness of the Green Belt, and its openness would be preserved.

14. For similar reasons as given above regarding the engineering operations on site, this element of the development would not conflict with the purpose of assisting in

safeguarding the countryside from encroachment. The Council does not identify a conflict with any of the other purposes set out in the Framework, and based on the evidence before me, I find no reason to conclude otherwise.

15. Therefore, the three aspects of the proposed development would comply with the exceptions set out in paragraph 154h) ii), iv) and v) and would preserve the openness of the Green Belt and not conflict with the purposes of including land within it. Consequently, the development would accord with Policy QP5 of the LP. As a result, the development would not be inappropriate development in the Green Belt.

Character and Appearance

16. The area's rural character is shaped by its sporadic development and the surrounding fields. The appeal building and associated development have a utilitarian appearance. Although, generally screened by the surrounding fences, trees, and hedges, the scale and appearance of it is more urban than the surrounding countryside.

17. Whilst the extent of the associated development with the building is disputed, some vehicles and materials associated with the storage, maintenance and repair of them could occur on site and thus they form part of the existing character of the appeal site.

18. The proposed works to the existing building would be relatively minor and as such the development would not substantially alter the perception of the appeal building within the local landscape. Vehicle numbers on site may increase, along with associated movements, including those of lorries. Additionally, a wider variety of materials could be stored on site to a greater extent than could currently take place. Given that the hardstanding, vehicles and storage areas would be viewed in the context of the commercial operation of the building, when viewed cumulatively, the appearance of the appeal site would appear urban and utilitarian, but this would be similar to the existing appearance of the site. Additionally, the appeal sites self-contained appearance, with screening provided by fences, trees, and hedges, would localise the visual impact of the development and would not substantially harm the rural character of the area when seen from wider viewpoints. The suggested condition to limit the height of materials stored on site would positively contribute towards this.

19. Even when seen from nearby PRowS the development would not significantly affect how the site would be viewed in the existing context and overall, the development would generally remain consistent with the appearance of the existing built form on site, whilst possibly covering a larger area. Additionally, by retaining the development within a centralised compound this would retain the more urban character of the appeal site to this localised area, and the rural character of the wider countryside would be preserved, similar to the existing situation.

20. Therefore, for the reasons given above, the proposed development would not harm the character or appearance of the area. Consequently, the development would generally accord with Policy QP3 of the LP insofar as it expects developments to respect and enhance the local, natural and historic character of the environment, amongst other matters.

Conditions

21. Further to the statutory commencement condition, a condition requiring the development is carried out in accordance with the approved plans is necessary in the interests of certainty.
22. It is necessary that the materials to be used are in accordance with those specified on the approved plans in the interests of the character and appearance of the area [3].
23. Whilst I note that boundary hedging is already in place a condition requiring the submission and approval of hard and soft landscaping and the retention or replacement of it is necessary in the interests of the character and appearance of the area [4].
24. Condition 5 is necessary in the interests of protecting protected species. However, it would not pass the tests of reasonableness or necessity for the condition to be pre-commencement. As such, I have revised this condition to require this information before development above slab level.
25. Condition 6 is necessary in the interests of biodiversity in accordance with Policy NR2 of the LP.
26. Several conditions were recommended by the Highway Authority concerning matters related to the access road, passing bay, parking areas, gates and the bonded material for the access that were identified as being necessary in the interests of highway safety. The Council notes that much of this development has already taken place and subsequently did not suggest these conditions. However, based on the evidence before me and what I saw on site it is not evident that all of the matters have been implemented in accordance with the information that would be required by the conditions. Furthermore, it is necessary that these matters are secured thereafter in the interests of highway safety given the location of the appeal site and the proposed commercial uses which may require lorries and other large vehicles to travel to and from the appeal site. Accordingly, I have included conditions 7, 8, 9 and 10 for these reasons.
27. The appellant suggested a condition [11] to restrict the height of materials to be stored on site to be below the height of the boundary fence. The submitted plans identify that the boundary fences are 1.8 metres tall and a condition requiring materials are not stacked or deposited above that height is necessary in the interests of the openness of the Green Belt and the character and appearance of the area.

Conclusion

28. The proposed development would comply with the development plan, and the material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

G Sibley

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.

- 2) The development hereby permitted shall be carried out in accordance with drawing nos: OS 1:2500 Location Plan; AAN.22.838.3 Rev F; and AAN.22.838.2 Rev A.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. AAN.22.838.2 Rev A
- 4) No development shall take place above slab level until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.
- 5) No development shall take place above slab level until details of all external lighting, including floodlighting, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and so maintained thereafter.
- 6) No development shall take place above slab level until details of biodiversity enhancements, to include but not limited to 2no. bat boxes and 2no. bird boxes (as recommended in the ecology assessment (prepared by Sam Watson Ecology, dated 23 May 2024)), shall be submitted to and approved in writing by the local planning authority. The approved biodiversity enhancements shall thereafter be installed as approved prior to the first use of the development hereby permitted, and retained in accordance with the approved details thereafter.
- 7) No part of the development hereby permitted shall be occupied until that part of the access road which provides access to the five commercial units and the associated car park, including the 20 metre long passing bay has been constructed in accordance plan no. OS 1:2500 Location Plan. The access road shall be retained as such thereafter.
- 8) No part of the development hereby permitted shall be occupied until the access has been surfaced with a bonded material across the entire width of the access for a distance of at least 17 metres measured back from the highway boundary. The access shall be retained as such thereafter.
- 9) No part of the development hereby permitted shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with plan no. AAN.22.838.3 Rev F. The vehicle parking and turning space approved shall be kept available for parking and turning in association with the development thereafter.
- 10) Any gates provided shall open away from the highway and be set back a distance of at least 17 metres from the nearside edge of the carriageway of the adjoining highway.
- 11) Materials shall not be stacked or deposited on site above a height of 1.8 metres measured from ground level.

End of Schedule